
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	CRIMINAL COMPLAINT
	:	
v.	:	Mag. No. 06-8207 (MCA)
	:	
BRIAN FAHEY	:	

I, Lucille M. Pezzullo, being duly sworn, state the following is true and correct to the best of my knowledge and belief. In or about January 2006, in Mercer County, in the District of New Jersey, and elsewhere, defendant BRIAN FAHEY did:

did knowingly and willfully receive material containing images of child pornography, as defined in 18 U.S.C. § 2256(8)(A), which images had been shipped and transported in interstate and foreign commerce by any means, including by computer,

in violation of Title 18, United States Code, Section 2252A(a)(2)(B) and 2.

I further state that I am a Special Agent for United States Immigration and Customs Enforcement, and that this complaint is based on the following facts:

SEE ATTACHMENT A

continued on the attached page and made a part hereof.

Sworn to before me and subscribed in my presence,
October 17, 2006 at Newark, New Jersey

Lucille M. Pezzullo, Special Agent
Department of Homeland Security
Immigration and Customs Enforcement

HONORABLE MADELINE COX ARLEO
UNITED STATES MAGISTRATE JUDGE

Signature of Judicial Officer

ATTACHMENT A

I, Lucille M. Pezzullo, a Special Agent with United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), having conducted an investigation and discussed this matter with other law enforcement officers who have participated in this investigation, have knowledge of the following facts:

1. On or about February 1, 2006 and March 2, 2006, law enforcement officers conducted a court-authorized search of computer servers located at an Internet Service Provider in Virginia. The search of these servers revealed the presence of thousands of images and videos of child pornography. In addition, the search revealed records of Internet Protocol and associated e-mail addresses which had accessed these images and videos.

2. The search revealed that an individual controlling the e-mail address "captainbeej@trashtalkinthekingdom.com" had accessed numerous images of child pornography from the Internet Protocol address 165.89.84.88. Three of the images accessed by the individual controlling the e-mail address "captainbeej@trashtalkinthekingdom.com" from the Internet Protocol address 165.89.84.88 are described as follows:

- a. **Image Number One:** This image, which was accessed by captainbeej@trashtalkinthekingdom.com from IP address 165.89.84.88 on or about January 19, 2006, depicts a prepubescent female performing fellatio on an adult male. The prepubescent female is sitting on a white surface and is leaning back on what appears to be a multi-colored pillow, with one leg stretched out straight in front of her and the other bent at the knee with her foot resting on the white surface. She is fully nude and is visible from her head to her ankles. Both hands of the prepubescent female are on the erect penis of the adult male. The adult male is visible from his lower abdomen to his upper thighs and is fully nude.
- b. **Image Number Two:** This image, which was accessed by captainbeej@trashtalkinthekingdom.com from IP address 165.89.84.88 on or about January 19, 2006, depicts a prepubescent female bound and photographed in a sexually explicit manner. The female is fully nude, visible from her head to her knees, and is hanging upside down from her feet. The female's legs are spread apart, a rope is wrapped around her body, and her mouth is bound with a handkerchief. It appears that a white object has been inserted in her genital region.

- c. **Image Number Three:** This image, which was accessed by captainbeej@trashtalkinthekingdom.com from IP address 165.89.84.88 on or about January 19, 2006, depicts a prepubescent female performing fellatio on an adult male. The female is fully nude, is seated on a white colored surface, and is visible from her head to her waist. Both hands of the prepubescent female are on the erect penis of the adult male which has been placed in the female's mouth. The adult male is visible from his lower abdomen to his upper thighs and is fully nude. The left hand of the adult male is placed on the back of the head of the prepubescent female.

3. On or about July 25, 2006, representatives of a corporation for whom defendant FAHEY worked as a sub-contractor informed law enforcement agents that the Internet Protocol address 165.89.84.88 is located at their corporate headquarters where defendant FAHEY worked.

4. On or about August 28, 2006, law enforcement agents interviewed defendant FAHEY who stated, in substance and in part, that he controlled the e-mail address "captainbeej@trashtalkinthekingdom.com." In addition, defendant FAHEY stated, in substance and in part, that a) he had purchased images of child pornography from the Internet; b) through his work computer he had purchased access to one child pornography website in or about December 2005; c) he visited this website on approximately ten occasions after purchasing access; and d) that he believed these images of child pornography he purchased depicted children between the ages of five and eighteen.

5. Based upon my training and experience, and to the best of my knowledge, the images described in paragraphs 2a through 2c above, were received via the Internet by defendant FAHEY, based upon, among other things, defendant FAHEY's own statements.